

STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW

**LOUISIANA BOARD
OF ETHICS**

IN THE MATTER OF

KEMIC SMOTHERS

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DOCKET NO.

AGENCY TRACKING NO. 2018-400

CHARGES

The Louisiana Board of Ethics voted on April 11, 2019, to and does hereby file the following charges:

I.

Damon Smothers has continuously been employed as Chief Executive Officer of Smothers Academy, a Type 2 charter school in Jefferson Parish that is subject to the Code of Governmental Ethics, since July 1, 2016.

II.

Damon Smothers is the biological brother of Kemic Smothers.

III.

Kemic Smothers entered into a transaction to work as an independent contractor of Smothers Academy to provide services as the Director of Procurement and legal advisor beginning on October 3, 2016 until April 13, 2018.

IV.

In the year 2016, Kemic Smothers was paid \$8,000 by Smothers Academy to provide services as the Director of Procurement and legal advisor.

V.

In the year 2017, Kemic Smothers was paid \$45,179.56 by Smothers Academy to provide services as the Director of Procurement and legal advisor.

VI.

In the year 2018, Kemic Smothers was paid \$25,000 by Smothers Academy to provide services as the Director of Procurement and legal advisor.

VII.

La. R.S. 42:1113A(1)(a) provides that no public servant, member of his immediate family, or legal entity in which he has a controlling interest shall bid on or enter into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of the agency of such public servant.

VIII.

Based on the foregoing facts, Kemic Smothers violated La. R.S. 42:1113A(1)(a) by entering into a transaction to work as an independent contractor of Smothers Academy to provide services as the Director of Procurement and legal advisor, at a time when his brother, Damon Smothers, served as the Chief Executive Officer of Smothers Academy.

In accordance with La. R.S. 42:1141C(3)(b)(iv), the Board designates Jennifer T. Land and Tracy Barker as the Board's trial attorneys in this matter.

WHEREFORE, the Louisiana Board of Ethics requests that the Ethics Adjudicatory Board (a) conduct a hearing on the foregoing charge; (b) determine that Kemic Smothers violated La. R.S. 42:1113A(1)(a) with respect to the foregoing counts; and (c) assess appropriate penalties in accordance with the recommendation of the Louisiana Board of Ethics to be submitted at the hearing.

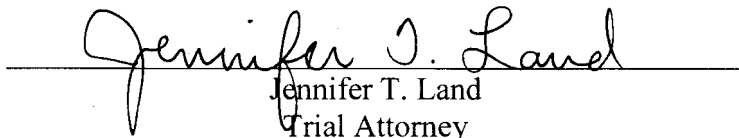
[SIGNATURE INFORMATION CONTAINED ON THE FOLLOWING PAGE]



Robert V. McAnelly
Chairman, Louisiana Board of Ethics
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CERTIFICATE:

I hereby certify that a copy of this document has been forwarded to the Respondent by registered/certified mail in accordance with La. R.S. 42:1141E(1)(a), on this 21st day of May, 2019.



Jennifer T. Land
Trial Attorney

SERVICE INFORMATION:

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